

**DECLARATION OF KEVIN McNALLY REGARDING THE GEOGRAPHIC
LOCATION OF FEDERAL CASES, THE FREQUENCY OF AUTHORIZATIONS AND
DEATH SENTENCES AND THE RACE AND GENDER OF DEFENDANTS AND VICTIMS**

1. I currently serve with the Federal Death Penalty Resource Counsel Project, assisting court-appointed and defender attorneys charged with the defense of capital cases in the federal courts. I have served as Resource Counsel since the inception of the Resource Counsel Project (RCP) in January, 1992. I was the Director of the Project between 2007 and 2018. The Project is funded and administered under the Criminal Justice Act by the Defender Services Office of the Administrative Office of the United States Courts.

2. My responsibilities as federal resource counsel include the monitoring of all federal capital prosecutions throughout the United States in order to assist in the delivery of adequate defense services to indigent capital defendants in such cases. This effort includes the collection of data on the initiation and prosecution of federal capital cases.¹

¹The work of the Federal Death Penalty Resource Counsel Project is described in a report prepared by the Subcommittee on Federal Death Penalty Cases, Committee on Defender Services, Judicial Conference of the United States, FEDERAL DEATH PENALTY CASES: RECOMMENDATIONS CONCERNING THE COST AND QUALITY OF DEFENSE REPRESENTATION (May, 1998), at 28-30. http://www.uscourts.gov/sites/default/files/original_spencer_report.pdf. The Subcommittee report “urges the judiciary and counsel to maximize the benefits of the Federal Death Penalty Resource Counsel Project ..., which has become essential to the delivery of high quality, cost-effective representation in death penalty cases” *Id.* at 50.

An update to the Report states: “Many judges and defense counsel spoke with appreciation and admiration about the work of Resource Counsel. Judges emphasized their assistance in recruiting and recommending counsel for appointments and their availability to consult on matters relating to the defense, including case budgeting. Defense counsel found their knowledge, national perspective, and case-specific assistance invaluable.”

3. In order to carry out the duties entrusted to me, I maintain a comprehensive list of federal death penalty prosecutions and information about these cases. I accomplish this by internet news searches, by reviewing dockets and by downloading and obtaining indictments, pleadings of substance, notices of intent to seek or not seek the death penalty, and by telephonic or in-person interviews with defense counsel or consultation with chambers. This information is regularly updated and is checked for accuracy by consulting with defense counsel. The Project's information regarding federal capital prosecutions has been relied upon by the Administrative Office of the United States Courts, by the Federal Judicial Center and by various federal district courts.

4. This declaration concerns: (1) the frequency with which the federal death penalty has been sought and imposed since 1988; (2) the race of the defendants as to whom a capital prosecution has been authorized; (3) the frequency with which the federal death penalty is authorized and imposed on a regional basis; and (4) the race and gender of victims.

I.

**FREQUENCY WITH WHICH THE FEDERAL DEATH PENALTY
IS SOUGHT AND IMPOSED**

5. The Project has collected information regarding all federal executions and all

<http://www.uscourts.gov/services-forms/defender-services/publications/update-cost-and-quality-defense-representation-federal>

potential and actual federal death penalty prosecutions initiated pursuant to 21 U.S.C. § 848(e) *et seq.*, enacted in 1988, and/or 18 U.S.C. §3591, *et seq.*, enacted in 1994.

6. Based on the Project's figures, as well as the reports published by the Department of Justice in September 2000 and June 2001, the "pool" of potential capital defendants in the federal system since 1988 totals 4,379. This figure is current as of December 17, 2019. This consists of, among others, 52 cases reviewed prior to the 1995 Death Penalty Protocols put into place by Attorney General Reno,² 682 reviewed by Ms. Reno after the Protocols went into effect (2000 DOJ Study), 632 reviewed by Attorney General Ashcroft (RCP total), 403 reviewed by Attorney General Gonzales (RCP total), 19 reviewed by Acting Attorney General Keisler (RCP total), 163 reviewed by Attorney General Mukasey (RCP total), 15 reviewed by Acting Attorney General Filip (RCP total), 980 reviewed by Attorney General Holder (RCP total), 265 reviewed by Attorney General Lynch (RCP total), 6 reviewed by Acting Attorney General Boente (RCP total), 1 reviewed by Acting Attorney General Yates (RCP total), 341 reviewed by Attorney General Sessions, 43 reviewed by Acting Attorney

²Prior to the Protocols, which went into effect on January 27, 1995, the Attorney General only reviewed those cases in which a United States Attorney requested permission to seek the death penalty. Potential capital cases where the local determination was not to seek the death penalty were not reviewed by Main Justice. The change wrought by the Protocols was a requirement that *all* potential death-penalty cases, whether the United States Attorney wished to pursue the death penalty or not, be submitted to Main Justice for review and a final decision by the Attorney General. However, the United States Attorney remained free to enter into a plea agreement specifying a sentence other than death. Attorney General Ashcroft required Main Justice review of all such proposed plea agreements in 2001.

General Whitaker (RCP total) and 161 by current Attorney General Barr. There are also an additional 303 cases identified by United States Attorneys as potential capital cases that were never submitted for review (2001 DOJ Report).³ The Project has also identified additional cases reviewed by the various Attorneys General as well as others that were never submitted for review and/or charged as capital offenses even though there was justification for doing so. Of the total of 4,379 potential federal capital defendants, 333 are currently pending review by the Department of Justice, bringing the total defendants reviewed so far to 4,046.

7. From this group of 4,046 potential capital defendants, a total of 530 defendants have actually been authorized for capital prosecution. Thus, the Department of Justice has authorized capital prosecutions involving approximately 13% (530/4,046) of the defendants against whom the penalty could have been sought. To date, juries have returned 86 death verdicts as to 82 different defendants (four of those defendants were sentenced to death at both an original trial and then, after having their death sentence overturned on appeal, again at a resentencing retrial). Three defendants have been executed.⁴ Two defendants

³See the discussion of this figure at n. 10 of the June 2001 Supplemental Justice Department Study.

⁴Two federal executions took place in the year 2001 (Timothy McVeigh and Juan Garza) and one in the year 2003 (Louis Jones). Messrs. McVeigh and Jones were executed pursuant to the Federal Death Penalty Act of 1994. Mr. Garza was executed pursuant to the 1988 enactment, 21 U.S.C. § 848(e).

were granted clemency. There are 63 defendants presently on the federal death row under an active sentence of death. These cases are in various stages of review via direct appeal or post-conviction proceedings brought pursuant to 28 U.S.C. § 2255. There are 28 defendants presently pending or in trial who have been “authorized” by the Attorney General.

8. To date, juries have sentenced 153 defendants to a life sentence and 86 defendants to death. Judges have sentenced three defendants to life in prison.

II.

RACE OF DEFENDANTS AUTHORIZED FOR FEDERAL CAPITAL PROSECUTIONS

9. The racial composition of the pool of 530 defendants whose cases were authorized for a federal capital prosecution is as follows: (A) African-American, 263 (50%); (B) Caucasian, 142 (27%); (C) Latino, 98 (18%); and (D), “other,” 27 (5%). These figures are current as of December 17, 2019.

III.

RACE AND GENDER OF VICTIMS

10. Since 2000, in a grossly disproportionate number of cases, juries have imposed the death penalty when the victim was a white female. As of December 17, 2019, white female victim cases constituted 38% (24 of 63) of federal death row but only 5% (182 of 3354) of the available pool of potential defendants since the year 2000. Moreover, 42% (27 of 64) of all death sentences between 2000 and 2019 have involved white female victims. This is many times greater than one would expect given the pool of white female victim cases.

11. Attached as Exhibit A is a completed data set of all such authorized cases as of December 17, 2019.

12. Attached as Exhibit B is a 2016 declaration by an expert, Lauren Cohen Bell, Ph.D., which concludes that federal capital defendants accused of the murder of a white female are more than twice as likely than other federal capital defendants to be sentenced to death. Dr. Bell concludes that there is: “[A] robust correlation between the presence of a white female victim and the imposition of a death sentence.” [Exhibit B at 6]. Dr. Bell states that there is a “one-tenth of one percent, or one in one thousand” chance that the race and gender of the victim is not related to the capital sentencing outcome. [Exhibit B at 6]. Attached as Exhibit C is Dr. Bell’s curriculum vita. This opinion holds regardless of the race of the defendant.

IV.

REGIONAL VARIATIONS

13. Based on figures compiled by the Death Penalty Information Center (current as of December 17, 2019) the states which currently lead the nation in post-*Gregg* executions are Texas (567), Virginia (113), Oklahoma (112) and Florida (99). The states whose federal districts have the most authorized federal death penalty prosecutions (including pending cases) are Virginia (57), California (46), New York (46), Texas (37), Missouri (31) and Maryland (26). Federal districts in the following states have had more than one federal death sentence returned by juries: Texas (16), Missouri (10), Virginia (8), Louisiana (4), North Carolina (4), South Carolina (4), Georgia (3), Oklahoma (3), Maryland (2), Pennsylvania (2), Arkansas (2), California (2), Florida (2), Illinois (2), Iowa (2), New York (2), Massachusetts (2) and West Virginia (2). Of the 86 federal death sentences imposed by juries since 1988, 56 (or 65%) have come from the traditional “death belt” states, the states that have historically executed the most people.

14. The United States Courts system has 94 districts. Of those, 22 districts (or 23%) have never had a case authorized for a federal death penalty prosecution.⁵ Attached as

⁵1) M.D. Alabama; 2) S.D. California; 3) D. Delaware; 4) D. Guam; 5) M.D. Louisiana; 6) D. Maine; 7) D. Minnesota; 8) D. Montana; 9) D. Nebraska; 10) D. Nevada; 11) D. New Hampshire; 12) D. Northern Mariana Islands; 13) N.D. Oklahoma; 14) D. Oregon; 15) D. South Dakota; 16) D. Utah; 17) D. Virgin Islands; 18) E.D. Washington; 19) W.D. Washington; 20) E.D. Wisconsin; 21) W.D. Wisconsin and 22) D. Wyoming.

Exhibit D is a district by district breakdown of federal death penalty defendants.

15. There have been 10 federal death-penalty cases tried in the First Circuit involving a total of 12 defendants, as follows: 3 trials in the District of Massachusetts (3 defendants - 1 life sentence and 2 death sentences), 7 trials in the District of Puerto Rico (9 defendants - 2 acquittals and 7 life sentences). The First Circuit trials, involving 12 defendants, resulted in 2 death sentences (or 17%).

16. In the Second Circuit there have been 22 federal death-penalty cases tried involving a total of 31 defendants, as follows: 4 trials in the District of Connecticut (4 defendants - 1 acquittal, 2 life sentences and 1 death sentence), 1 trial in the District of Vermont (1 defendant - 1 death sentence), 12 trials (1 trial was a retrial) in the Eastern District of New York (12 defendants - 11 life sentences and 1 death sentence), 2 trials in the Northern District of New York (5 defendants - 1 authorization withdrawn at trial and 4 life sentences) and 6 trials in the Southern District of New York (9 defendants - 1 guilty plea at trial, 1 acquittal and 7 life sentences). Only 1 death verdict has been returned.⁶ The Second Circuit trials involving 31 defendants resulted in 3 death sentences (or 10%). Two of these death sentences have been vacated in subsequent proceedings.⁷

⁶Ronell Wilson (ED NY) received a death sentence at his trial and at his resentencing after appeal. That death sentence was reduced to life in prison without release because he was found to be intellectually disabled.

⁷Donald Fell received a new trial in Vermont and entered into a plea agreement and was sentenced to life in prison without release.

17. In the Third Circuit there have been 13 federal death-penalty cases tried, involving a total of 18 defendants, as follows: 2 trials in New Jersey (2 defendants - one life sentence, the other committed suicide at trial), 6 trials in the Eastern District of Pennsylvania (10 defendants resulting in 1 authorization withdrawn at trial, 3 guilty pleas at trial, 1 acquittal, 4 life sentences and 1 death sentence), 4 trials in the Middle District of Pennsylvania (5 defendants resulting in 1 authorization withdrawn at trial, 1 life sentence by the judge, 2 life sentences by the jury and 1 death sentence) and 2 trials in the Western District of Pennsylvania (2 defendants - 2 life sentences). The Third Circuit's trials involving 18 defendants resulted in 2 death sentences (or 11%).

18. In the Fourth Circuit there have been 48 federal death penalty cases tried, involving 72 defendants, as follows: 11 trials in the District of Maryland (13 defendants - 1 guilty plea at trial, 1 lesser included conviction, 8 life sentences by a jury and 1 life sentence by a judge and 2 death sentences), 5 trials in the District of South Carolina (5 defendants - 1 life sentence and 4 death sentences), 20 trials in the Eastern District of Virginia (35 defendants - 1 guilty plea at trial, 2 lesser included convictions, 2 acquittals, 22 life sentences by jury, 1 life sentence by judge and 7 death sentences), 2 trials in the Northern District of West Virginia (2 defendants - 1 guilty plea at trial and 1 dismissal after notice), 2 trials in the Southern District of West Virginia (1 trial resulting in 2 death sentences but a new trial was granted resulting in a guilty plea by one defendant and a life sentence from the jury for the

other defendant), 5 trials in the Western District of North Carolina (5 defendants - 1 authorization withdrawn at trial, 1 life sentence and 3 death sentences) and 8 trials in the Western District of Virginia (10 defendants - 2 authorizations withdrawn at trial, 2 acquittals, 5 life sentences and 1 death sentence). The Fourth Circuit's trials involving 72 defendants resulted in 16 death sentences or (22%).

19. In the Fifth Circuit there have been 22 federal death penalty cases tried, involving 31 defendants, as follows: 5 trials in the Eastern District of Louisiana (5 defendants - but one defendant twice - so 6 outcomes) - 1 guilty plea at trial, 1 life sentence and 4 death sentences), 9 trials in the Eastern District of Texas (12 defendants - 5 life sentences and 7 death sentences), 5 trials in the Northern District of Texas (5 defendants - 1 life sentence and 4 death sentences), 2 trials in the Southern District of Mississippi (2 defendants - 2 life sentences), 3 trials in the Southern District of Texas (3 defendants - 1 life sentence and 2 death sentences), 1 trial in the Western District of Louisiana (1 defendant - 1 death sentence) and 2 trials in the Western District of Texas (3 defendants - 3 death sentences). The Fifth Circuit's trials involving 31 defendants resulted in 21 death sentences (or 68%).

20. There have been 16 federal death-penalty cases tried in the Sixth Circuit involving a total of 19 defendants, as follows: 3 trials in the Eastern District of Michigan (3 defendants - 1 guilty plea at trial and 2 life sentences), 1 trial in the Eastern District of Tennessee (1 defendant - 1 death sentence), 2 trials in the Middle District of Tennessee (2

defendants - 1 guilty plea at trial and 1 life sentence), 2 trials in the Northern District of Ohio (2 defendants - 2 life sentences), 3 trials in the Southern District of Ohio (3 defendants - 2 life sentences and 1 death sentence), 2 trials in the Western District of Kentucky (2 defendants - 2 life sentences), 3 trials in the Western District of Michigan (3 defendants - 2 life verdicts and 1 death verdict) and 2 trials in the Western District of Tennessee (3 defendants - 2 guilty pleas at trial and 1 life verdict). The Sixth Circuit's trials involving 19 defendants resulted in 3 death sentences (or 16%).

21. There have been 7 federal death-penalty cases tried in the Seventh Circuit, involving a total of 10 defendants, as follows: 5 trials in the Northern District of Illinois (5 defendants - 3 life sentences and 2 death sentences), 1 trial in the Central District of Illinois (1 defendant - 1 life sentence) and 3 trials in the Northern District of Indiana (4 defendants - 1 authorization withdrawn at trial, 2 life sentences and 1 death sentence). In the Seventh Circuit's trials involving 10 defendants, there have been 3 death verdicts (or 30%).

22. In the Eighth Circuit there have been 21 federal death penalty cases tried, involving 32 defendants, as follows: 1 trial in North Dakota (1 defendant - 1 death sentence), 3 trials in the Eastern District of Arkansas (4 defendants - 1 guilty plea at trial, 2 life sentences and 1 death sentence), 4 trials in the Eastern District of Missouri (5 defendants - 2 life sentences and 3 death sentences), 2 trials in the Northern District of Iowa (2 defendants - 2 death sentences) (1 death sentence vacated and authorization was

withdrawn), 2 trials in the Western District of Arkansas (2 defendants - 1 life sentence and 1 death sentence), 13 trials in the Western District of Missouri (18 defendants - 1 authorization withdrawn at trial, 10 life sentences and 7 death sentences). The Eighth Circuit's 32 defendants who went to trial resulted in 15 death sentences (or 47%).

23. There have been 11 federal death-penalty cases tried in the Ninth Circuit involving a total of 22 defendants, as follows: 7 trials in the Central District of California (15 defendants - 3 authorizations withdrawn at trial, 2 guilty pleas at trial, 2 acquittals, 6 life sentences and 2 death sentences), 1 trial in the District of Arizona (1 defendant - 1 death sentence), 1 trial in the District of Hawaii (1 defendant - 1 life sentence), 1 trial in the District of Idaho (1 defendant - 1 death sentence), 1 trial in the Eastern District of California (1 defendant - 1 guilty plea at trial), 3 trials in the Northern District of California (3 defendants - 1 guilty plea at trial and 2 life sentences). There were 4 death verdicts returned in the Ninth Circuit in trials involving 22 defendants (or 18%).

24. In the Tenth Circuit there have been 13 federal death penalty cases tried, involving 18 defendants, as follows: 4 trials in the District of Colorado (4 defendants - 3 life sentences and 1 death sentence), 4 trials in the District of Kansas (4 defendants - 1 authorization withdrawn at trial, 2 life sentences and 1 death sentence), 4 trials in the District of New Mexico (4 defendants - 2 guilty pleas at trial and 2 life sentences), 4 trials in the Eastern District of Oklahoma (5 defendants - 2 life sentences and 3 death sentences)

and 1 trial in the Western District of Oklahoma (1 defendant - 1 guilty plea at trial). The Tenth Circuit's trials involving 18 defendants resulted in 5 death sentences (or 28%).

25. In the Eleventh Circuit there have been 17 federal death penalty cases tried, involving 20 defendants, as follows: 2 trials in the Middle District of Florida (2 defendants - 2 life sentences), 1 trial in the Middle District of Georgia (1 defendant - life sentence), 3 trials in the Northern District of Alabama (3 defendants - 1 guilty plea at trial, 1 life sentence and 1 death sentence), 3 trials in the Northern District of Georgia (3 defendants - 1 life sentence and 2 death sentences), 1 trial in the Southern District of Alabama (1 defendant - 1 life sentence), 5 trials in the Southern District of Florida (8 defendants - 3 acquittals, 3 life sentences and 2 death sentences) and 2 trials in the Southern District of Georgia (2 defendants - 1 life sentence and 1 death sentence). The Eleventh Circuit's trials involving 20 defendants resulted in 6 death sentences (or 30%).

28. In the D.C. Circuit there have been 3 federal death penalty cases tried, involving 4 defendants, resulting in 4 life sentences, or 0% death sentences.

29. I also have information on the number of authorized federal death penalty cases, since 1988, by the state in which each such prosecution was brought. According to the Project's records, the following compilation accurately sets forth the particular state in which each of the 530 federal death penalty cases authorized since 1988 was prosecuted:

Alabama (6), Alaska (3), Arizona (6), Arkansas (7), California (46),
Colorado (8), Connecticut (5), DC (17), Florida (16), Georgia (9),

Hawaii (2), Idaho (1), Illinois (14), Indiana (8), Iowa (4), Kansas (7), Kentucky (5), Louisiana (14), Maryland (26), Massachusetts (5), Michigan (22), Mississippi (3), Missouri (30), New Jersey (4), New Mexico (10), New York (48), North Carolina (10), North Dakota (2), Ohio (7), Oklahoma (6), Pennsylvania (24), Puerto Rico (25), Rhode Island (1), South Carolina (5), Tennessee (18), Texas (36), Vermont (3), Virginia (57), West Virginia (10).

I declare under the penalty of perjury under the laws of the United States of America, 28 U.S.C. §1746, that the foregoing is true and correct. Executed this 17th day of December, 2019.

/s/ Kevin McNally
Kevin McNally

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EXHIBIT B

Declaration of LAUREN COHEN BELL, Ph.D., regarding the imposition of the federal death penalty in cases involving white, female victims.

1. I am currently Professor of Political Science and Dean of Academic Affairs at Randolph-Macon College in Ashland, Virginia, where I have been a faculty member since September 1999. Among the subjects I teach regularly are judicial process, constitutional law, and research methodology.
2. My research areas include the federal judiciary and the United States Congress. In my research, I regularly perform quantitative analysis of data and rely on the Statistical Package for the Social Sciences (SPSS) to organize and analyze such data. The use of quantitative analysis in social science and the use of SPSS in particular is an integral part of the research methodology course I teach. I have authored or coauthored a total of 23 books, book chapters, and peer-reviewed articles, and have presented more than 30 academic papers at scholarly meetings. I am a former member of the editorial board of *Justice System Journal* and a regular manuscript reviewer for *Legislative Studies Quarterly*, *American Politics Research*, Routledge Publishers, *The Journal of Politics*, Congressional Quarterly Press, Longman Publishers, Cambridge University Press, *Law and Society Review*, *American Journal of Political Science*, *Justice System Journal*, *Political Studies Quarterly*, and *PS: Political Science and Politics*.
3. Between August 2006 and August 2007, I served as one of four United States Supreme Court Fellows. I was posted at the U.S. Sentencing Commission where I worked closely with the Office of Research and Data on the design and implementation of the Commission's 2007 study of the effect of minor offenses on the calculation of offenders' criminal history scores.

4. I hold Masters and Ph.D. degrees in political science from the University of Oklahoma's Carl Albert Congressional Research and Studies Center. A copy of my *curriculum vitae* is attached.
5. I have been asked to conduct an analysis of federal capital prosecutions focusing on the dynamics of death sentencing in cases involving white female victims. Specifically, I have been asked to assess whether defendants who are convicted of killing white female victims are sentenced to death at a higher rate than defendants whose victims are not white women.
6. In order to conduct this analysis, I was provided with an Excel spreadsheet containing data maintained by Kevin McNally on behalf of the Federal Death Penalty Resource Counsel Project, concerning the race and gender of victims in 489 federal death penalty prosecutions. I used SPSS to create a database of 483 cases authorized and completed as capital prosecutions by the U.S. Department of Justice between 1989 and April 2016. For purposes of analyzing sentencing dynamics, I excluded from the analysis six cases: one in which the charged offense was treason and there were no identified victims; and five in which there were mass numbers of victims. (These were large-scale terrorist attacks: the Oklahoma City bombing, the September 11 attack, and the bombing of two U.S. embassies in Africa.) These six cases were excluded because where there is either no victim or where there are mass casualties it is not possible to isolate a white female victim effect on sentencing. This is consistent with the way other researchers have addressed this issue. This left 483 authorized capital prosecutions for analysis.

7. I used statistical procedures generally applied in the analysis of quantitative data to assess whether the death penalty was imposed disproportionately on defendants who killed white females as opposed to other types of victims: descriptive statistics provide a “snapshot” of the characteristics of the data; crosstabulations show how two variables interact with one another; and chi-square analysis provides an indicator of whether an observed relationship occurs by chance or because of a systematic interaction between the two variables.
8. My analysis, as reflected in the charts below, demonstrates that defendants who kill white female victims receive the death penalty at a substantially higher rate than defendants whose victims are not white women and that this correlation between white female victims and death sentencing is not the result of chance.
9. The data used in the analysis have the following characteristics:

<u>Condition of Interest</u>	<u>Number of cases</u>
All Authorized Cases	489
Authorized Cases Involving Victim	488 (see paragraph 6, above)
Authorized Cases Excluding Mass Killings	483 (see paragraph 6, above)
Death Penalty Imposed:	73
Death Penalty Not Imposed:	410
White Female Victim (WFV)	90
No WFV	393
Sentencing Trial Completed	220
Sentencing Trial Involving WFV	47
Sentencing Trial, No WFV	173
Death Penalty Imposed, WFV	28
Death Penalty Imposed, No WFV	45

10. The results of the chi-square analysis are as follows. Table 1 summarizes the analysis of death sentences among the set of 483 authorized federal capital cases. As explained in paragraph 6, this includes all but six authorized prosecutions.

Table 1: Relationship between the Presence of a White Female Victim (WFV) and Imposition of a Death Sentence, All Authorized Cases (Excluding Mass Killings) [N=483]

Data Source	Condition (N)	Percent (Formula)
Set of All Cases (N=90) with WFV	Death-Sentenced (28)	31.1% (28 of 90)
	Non-Death Sentenced (62)	68.9% (62 of 90)
Set of All Cases (N=393) with no WFV	Death-Sentenced (45)	11.5% (45 of 393)
	Non-Death-Sentenced (348)	88.5% (348 of 393)
Set of All Cases (N=73) Involving a Death Sentence	Cases with WFV (28)	38.4% (28 of 73)
	Cases with no WFV (45)	61.6% (45 of 73)
Set of All Cases (N=410) Not Involving a Death Sentence	Cases with WFV (65)	15.1% (62 of 410)
	Cases with no WFV (348)	84.9% (348 of 410)

11. Table 1 indicates that defendants in cases involving a white female victim were sentenced to death 31.1 percent of the time (in 28 of 90 cases). Defendants in cases not involving a white female victim were sentenced to death 11.5 percent of the time (in 45 of 393 cases). A defendant charged with killing a white female victim was 2.7 times more likely to be sentenced to death than a defendant charged with killing a victim who was not a white female. These results are statistically significant at the $p < .001$ level, indicating that the probability that this result would occur if there were no relationship between the variables is essentially zero.

12. Table 2 looks at the smaller set of authorized capital cases that proceeded through to a capital sentencing trial. It indicates that among those for whom life or death decisions were made by judges or juries, defendants in cases involving a white female victim received a death sentence 55.3 percent of the time (in 26 of 47 cases). Defendants in cases where there was no white female victim were sentenced to death 25.4 percent of the time (in 44 of 173 cases). A defendant in a federal capital trial thus was more than twice (2.18 times) as likely to be sentenced to death in a case involving a white female victim than a defendant in a case in which there was no white female victim. These results are statistically significant at the $p < .001$ level, indicating that the probability that this result would occur if there were no relationship between the variables is essentially zero.

Table 2: Relationship between the Presence of a White Female Victim (WFO) and Imposition of a Death Sentence, Trial Cases Only (Excluding Mass Killings) [N=220]

Data Source	Condition (N)	Percent (Formula)
Set of All Cases (N=47) with WFO	Death-Sentenced (26)	55.3 % (26 of 47)
	Non-Death Sentenced (21)	44.7 % (21 of 47)
Set of All Cases (N=173) with no WFO	Death-Sentenced (44)	25.4 % (44 of 173)
	Non-Death-Sentenced (129)	74.6 % (129 of 173)
Set of All Cases (N=70) Involving a Death Sentence	Cases with WFO (26)	37.1% (26 of 70)
	Cases with no WFO (44)	62.9% (44 of 70)
Set of All Cases (N=150) Not Involving a Death Sentence	Cases with WFO (21)	14.0 % (21 of 150)
	Cases with no WFO (129)	86.0 % (129 of 150)

13. Based on the bivariate results discussed here, I conclude without hesitation that there is a statistically significant and systematic correlation between the presence of a white female victim and the likelihood of a death sentence in a federal capital case. Defendants who

killed white female victims are overrepresented among federal death sentenced defendants. They represent 18.6 percent of all authorized prosecutions (90 of 483) and 21.4 percent of authorized prosecutions completing a penalty phase trial (47 of 220); however they represent 37.1 percent of death sentences (26 of 70).

14. The analysis reveals a robust correlation between the presence of a white female victim and the imposition of a death sentence. Social scientists consider a result to be robust when changing the assumptions undergirding an analysis would be unlikely to affect its results. The generally accepted standard for statistical significance in political science research is $p < .05$, meaning that the probability that there is no relationship between the variables of interest is less than five percent. In the case of these analyses, the findings are statistically significant at a higher level of $p < .001$, meaning that the likelihood that there is no relationship between the variables of interest is less than one-tenth of one percent, or one in one thousand. Given the robust quality of these findings, it is my opinion to a reasonable degree of scientific certainty that this correlation of more severe sentencing outcomes and white female victims is unlikely to disappear even in the presence of other potentially explanatory variables.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 31st day of May, 2016.



Lauren Cohen Bell

Appendix: Bivariate SPSS Results Used to Generate Tables 1 and 2:

Table 1:

Case Processing Summary						
	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
WhiteFemaleVictim * Death Penalty Imposed	483	100.0%	0	0.0%	483	100.0%

			Death Penalty Imposed		Total
			No	Yes	
WhiteFemaleVictim	No	Count	348	45	393
		% within Death Penalty Imposed	84.9%	61.6%	81.4%
	Yes	Count	62	28	90
		% within Death Penalty Imposed	15.1%	38.4%	18.6%
Total		Count	410	73	483
		% within Death Penalty Imposed	100.0%	100.0%	100.0%

Chi-Square Tests					
	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	22.084 ^a	1	.000	.000	.000
Continuity Correction ^b	20.558	1	.000		
Likelihood Ratio	18.961	1	.000		
Fisher's Exact Test					
Linear-by-Linear Association	22.018	1	.000		
N of Valid Cases	483				

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 13.60.

b. Computed only for a 2x2 table

Table 2:

Case Processing Summary						
	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
WhiteFemaleVictim * Death Penalty Imposed	220	100.0%	0	0.0%	220	100.0%

WhiteFemaleVictim * Death Penalty Imposed Crosstabulation					
			Death Penalty Imposed		Total
			No	Yes	
WhiteFemaleVictim	No	Count	129	44	173
		% within WhiteFemaleVictim	74.6%	25.4%	100.0%
		% of Total	58.6%	20.0%	78.6%
	Yes	Count	21	26	47
		% within WhiteFemaleVictim	44.7%	55.3%	100.0%
		% of Total	9.5%	11.8%	21.4%
Total	Count	150	70	220	
	% within WhiteFemaleVictim	68.2%	31.8%	100.0%	
	% of Total	68.2%	31.8%	100.0%	

Chi-Square Tests					
	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	15.216 ^a	1	.000	.000	.000
Continuity Correction ^b	13.870	1	.000		
Likelihood Ratio	14.395	1	.000		
Fisher's Exact Test					
Linear-by-Linear Association	15.147	1	.000		
N of Valid Cases	220				

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 14.95.

b. Computed only for a 2x2 table

**DECLARATION OF KEVIN McNALLY REGARDING THE GEOGRAPHIC
LOCATION OF FEDERAL CASES, THE FREQUENCY OF AUTHORIZATIONS AND
DEATH SENTENCES AND THE RACE AND GENDER OF DEFENDANTS AND VICTIMS**

EXHIBIT C

May 2016

LAUREN C. BELL

Professor of Political Science
Dean of Academic Affairs
Randolph-Macon College
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PROFESSIONAL APPOINTMENTS

Dean of Academic Affairs, Randolph-Macon College, Ashland, Virginia. May 2014—present.

Visiting Scholar, Keio University, Tokyo, Japan. November and December 2015.

Associate Dean of the College, Randolph-Macon College, Ashland, Virginia. August 2007—April 2014.

Professor of Political Science, Randolph-Macon College, Ashland, Virginia. September 2010-present. (Formerly Assistant/Associate Professor, August 1999-September 2010.)

United States Supreme Court Fellow (United States Sentencing Commission). August 2006—August 2007.

Visiting Assistant Professor of Political Science. Bucknell University, Lewisburg, Pennsylvania. January—July 1999.

American Political Science Association Congressional Fellow. 105th Congress. November 1997—August 1998.
U.S. Senate Committee on the Judiciary, Subcommittee on Immigration (minority staff).

COURSES TAUGHT

*American Government and
Politics*
Congress in the Political System
Research Methods
Constitutional Law
The American Presidency

Judicial Process and Behavior
Introduction to Public Policy
State and Local Government
*Political Parties and Voting
Behavior*
*Race and Gender in American
Politics*

Seminar in Political Leadership
The Politics of Popular Culture
(team taught)
*First Year Colloquium: Public
Policy Perspectives on the
Natural World*

CONSULTING WORK

Content Consultant, Center for the Constitution. James Madison's Montpelier. Fall 2015-present.

Political Analyst. WRIC-8 Richmond (Local ABC Affiliate). Spring 2012-present.

Research Consultant. Washington Institute for Public Affairs Research at American University. May-November 2011.

Political Analyst. WTVR-6 Richmond (Local CBS Affiliate). Fall 2008-present.

Academic Consultant. Bill of Rights Institute, Inc. Fairfax, Virginia. Fall 2008-January 2010.

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Research Consultant. Statistical Analysis of Sentencing Dynamics in Federal Death Penalty Cases. Federal Public Defender, United States Court of Appeals (Fourth Circuit). Fall 2008.

EDUCATION

Doctor of Philosophy in Political Science. The Carl Albert Congressional Research and Studies Center at The University of Oklahoma. Norman, Oklahoma. July 1999.

DISSERTATION: "Warring Factions: Senators, Nominees, and Interest Groups in the Federal Appointment Process."

Master of Arts in Political Science. The Carl Albert Congressional Research and Studies Center at The University of Oklahoma. Norman, Oklahoma. December 1997.

Summer Program in Quantitative Methods. Inter-university Consortium for Political and Social Research at The University of Michigan. Ann Arbor, Michigan. Summer 1996.

Bachelor of Arts in Political Science. The College of Wooster. Wooster, Ohio. May 1994.

AWARDS AND HONORS

Semi-finalist (Top Five in Institutional Category), 2013 Outstanding First Year Student Advocate. National Resource Center for the First Year Experience and Students in Transition/Cengage Learning. University of South Carolina.

Yellow Jacket Club 2009-10 Faculty Person of the Year. Randolph-Macon College Yellow Jacket Club (Athletic Boosters). Awarded May 15, 2010.

Randolph-Macon College's Nominee. 2008 Harris Award for Excellence in Undergraduate Teaching. Virginia Foundation for Independent Colleges.

2006-07 Tom C. Clark Award for Outstanding Contributions to the U.S. Supreme Court Fellows Program. U.S. Supreme Court. Awarded June 2007.

Finalist, 2005 Virginia Outstanding Faculty Awards –Rising Star Category. State Council for Higher Education in Virginia. January 2005.

DuPriest Award for Outstanding Faculty Advisor (of a fraternity or sorority), Randolph-Macon College. Awarded May 2004.

2003-2004 SGA Faculty Member of the Year, Randolph-Macon College. Awarded April 2004.

Thomas Branch Award for Excellence in Teaching, Randolph-Macon College. Awarded April 2004.

Finalist, 2004 Virginia Outstanding Faculty Awards – Rising Star Category. State Council for Higher Education in Virginia, January 2004.

DuPriest Award for Outstanding Faculty Advisor (of a fraternity or sorority), Randolph-Macon College. Awarded May 2003.

Ira L. Andrews, III Spirit of Fraternalism Award, Randolph-Macon College. Awarded May 2002.

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Thomas Branch Award for Excellence in Teaching, Randolph-Macon College. Awarded April 2002.

2000-2001 SGA Faculty Member of the Year, Randolph-Macon College. Awarded May 2001.

PUBLICATIONS AND PRESENTATIONS

BOOKS

Slingshot: The Defeat of Eric Cantor. Congressional Quarterly Press. (With R. Keith Gaddie and David Elliot Meyer). 2015.

Filibustering in the U.S. Senate. Amherst, New York: Cambria Press. 2011.

Case Studies in Political Communication: A Multidisciplinary Approach (with Joan Connors and Ted Sheckels). Allyn & Bacon. 2008.

The U.S. Congress: A Simulation for Students. Belmont, CA: Thomson/Wadsworth. 2005.

Warring Factions: Interest Groups, Money, and the New Politics of Senate Confirmation. Columbus, Ohio: The Ohio State University Press. 2002.

JOURNAL ARTICLES/BOOK CHAPTERS

"Federal Judicial Selection in History and Scholarship." *Judicature* 96 (5), (May/June 2013).

"What If Democrats Were More Like Republicans: Structural and Institutional Explanations for Why Hillary Lost." In *Cracked but not Shattered: Hillary Rodham Clinton's Unsuccessful Campaign for the Presidency*. Ted Sheckels, ed. Lexington Books, 2009.

"In Their Own Interest: Pressure Groups in the Federal Judicial Selection Process." In *Exploring Judicial Politics*, Mark Miller, ed. Oxford University Press. 2009.

"Virginia." *Political Encyclopedia of U.S. States and Regions*. Congressional Quarterly Press. 2009 (with William Curtis Ellis).

"Courting Success: The Supreme Court Fellows Program at 35." *PS: Political Science and Politics*. (With Jon B. Gould, Terence J. Lau, and John M. Domurad.) October 2008.

"Scoring the Senate: Scorecards, Parties and Roll Call Votes in the U.S. Senate." in *Why Not Parties? Party Effects in the United States Senate*, Nathan Monroe, Jason M. Roberts, and David Rohde, eds. University of Chicago Press. (With Jason M. Roberts.) 2008.

"Policy Statements or Symbolic Politics?: Explaining Congressional Court-Stripping Attempts." *Judicature*. 89 (4): January-February 2006 (with Kevin M. Scott).

"Following the Leader or Leading the Followers? Congress and the President in the United States." *Journal of Legislative Studies* v.10(2-3), (Summer/Fall 2004), Pp. 193-206.

~ Reprinted in *Executive Leadership and Legislative Assemblies*, Nicholas J. Baldwin, ed. London: Routledge, 2006.

"Rational Behavior or the Norm of Cooperation?: Filibustering Behavior Among Retiring Senators." (with L. Marvin Overby). *Journal of Politics*, v. 66(3), (August 2004) Pp. 906-924.

- "Senate Confirmations in an Interest Group Age," in *Extensions: A Journal of the Carl Albert Congressional Research and Studies Center*, Spring 2004.
- "Character vs. Competence: Evidence from the 2000 Presidential Debates and Election," (with Ted Scheckels). In *The Millennium Election: Communication in the 2000 Campaigns*, Lynda Lee Kaid, John C. Tedesco, Diane Bystrom, and Mitch McKinney, eds. Lanham, MD: Rowman and Littlefield Publishers. 2003.
- "From Passive to Active Representation: The Case of Women Congressional Staff," (with Cindy Simon Rosenthal). *Journal of Public Administration Research and Theory (JPART)* 13 (1), January 2003.
- "Senatorial Discourtesy: The Senate's Use of Delay to Shape the Federal Judiciary." *Political Research Quarterly* 55 (3), (September 2002).
- "Invisible Power: Congressional Staff and Representation Behind the Scenes," (with Cindy Simon Rosenthal). Chapter in *Women Transforming Congress*, Cindy Simon Rosenthal (ed.) Norman, Oklahoma: University of Oklahoma Press. (2002)
- "Compelling State Interests: State Judicial Selection in an Interest Group Age," invited submission to the New York State Bar Association: *Government, Law & Policy Journal*. (Fall 2001), at 46.
- "Voter Choice and Consistency in Retention Elections for Oklahoma State Judges." *The Almanac of Oklahoma Politics 2000*. Stillwater, Oklahoma: OPSA Press. July 1999.
~ Reprinted in the 2002 edition (2001).
- "Missing in Action: Interest Groups and Federal Judicial Appointments." *Judicature* (82:3), November-December 1998.
- "Looking Back: Portraits of the Old Senate," in *Extensions: A Journal of the Carl Albert Congressional Research and Studies Center*, Fall 1997.

BOOK REVIEWS

- The Foreign Policy Disconnect*. Political Studies Quarterly. Autumn 2007.
- Between the Branches*. The American Political Science Association's Legislative Studies Section Newsletter, June 1999.
- Reasonable Disagreement*. The American Political Science Association's Legislative Studies Section Newsletter, January 1999.
- Education of A Senator*. The American Political Science Association's Legislative Studies Section Newsletter, January 1999.
- Air Wars (2e)*. The American Political Science Association's Legislative Studies Section Newsletter, January 1998.

ADDITIONAL PUBLICATIONS

"The stakes are high in the looming fight to replace Justice Scalia on the Supreme Court." London School of Economics and Political Science American Politics and Policy Blog, February 15, 2016. Available online at: <http://bit.ly/1KSnkKE>.

~Reposted by *Newsweek* as "Replacing Scalia: Conservatives Have More to Lose by Delay" at: <http://www.newsweek.com/replacing-scalia-conservatives-have-more-lose-delay-427186>, February 16, 2016.

"Nuclear Fallout: Limiting the Filibuster has Led to More Delays." London School of Economics and Political Science American Politics and Policy Blog, November 24, 2015. (With John D. Rackey). Available online at: <http://bit.ly/1PLMgVr>.

"Filibuster." (Encyclopedia Entry). *American Political Culture: An Encyclopedia* (ABC-CLIO). Michael Shally-Jensen, ed. April 2015.

"Legislative Gridlock." (Encyclopedia Entry). *American Political Culture: An Encyclopedia* (ABC-CLIO). Michael Shally-Jensen, ed. April 2015.

"R-MC Professor Goes to Congress: But Which One?" in *Virginia Capitol Connections Quarterly Magazine*. Summer 2014 (with Brian Turner).

"The Difficulties over Michael Boggs' Confirmation in the Senate Have Been Made Worse by the Democrats' Filibuster Reform." London School of Economics and Political Science American Politics and Policy Blog. May 22, 2014. <http://bit.ly/1IVYHer>.

"The Limits of Term Limits." *Virginia Capitol Connections*. Spring 2014. http://www.vccqm.org/qm_sp_2014/#10.

"The Real Danger of Harry Reid's 'Nuclear' Rules Change in the Senate May Be the Fallout." London School of Economics and Political Science American Politics and Policy Blog. November 23, 2013. <http://blogs.lse.ac.uk/usappblog/2013/11/23/harry-reid-nuclear-option/>.

"The Filibuster is Dead...Long Live the Filibuster." *Foreign Affairs.com*. February 4, 2013. <http://www.foreignaffairs.com/articles/138802/lauren-c-bell/the-filibuster-is-dead>.

"Fixing the Filibuster: Why Its Easier Said Than Done." *Foreign Affairs.com*, December 19, 2012. <http://www.foreignaffairs.com/articles/138603/lauren-c-bell/fixing-the-filibuster>.

"Now that the 2008 Presidential Election's Over, Both Parties Better Get Back to Work." *Virginia Capitol Connections*. January 2009.
~ Reprinted in the 2000-2010 Special Commemorative Edition, featuring "classic articles of the first decade of the twenty-first century" (2010).

"Conflicts of Interest?: Legislators at Bar." *Virginia Capitol Connections*. Spring 2008.

Contributor, *The Encyclopedia of the United States Congress*. Robert Dewhirst, editor. Facts on File, Inc. 2006.

"Remember the Judges." *Virginia Capitol Connections*. Autumn 2005.

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"The June 14th Primary: The Case of the Vanishing Voters." *Virginia Capitol Connections*. Summer 2005.

"What's All the Bluster About the Filibuster?" Lead editorial in *The Cincinnati Enquirer*. May 1, 2005.

"Lies, Damned Lies, and Faulty Statistics: A Cautionary Tale About the Use of Exit Polls." *Virginia Capitol Connections*. Winter 2005.

~ Reprinted in the 2000-2010 Special Commemorative Edition, featuring "classic articles of the first decade of the twenty-first century" (2010).

American Politics and Government Questions for use with the Turning Point Premium Content System. Wadsworth Publishing, 2005.

"Duck Hunting." Editorial. *Virginia Capitol Connections*. Summer 2003.

"Ideologues Wanted." *USA Today*. (Opposing View Editorial). October 31, 2002.

"Voter Attitudes the Same," in *The Hanover Herald-Progress*, vol. 124, No. 38. November 12, 2001.

"Analyzing the Election and Hanover County Voters," in *The Hanover Herald-Progress*, vol. 123, no. 39. November 16, 2000.

"Survey Results Paint Portrait of Electorate," in *The Hanover Herald-Progress*, vol. 22, no. 67. March 2, 2000.

PAPERS PRESENTED AT PROFESSIONAL MEETINGS

"From Filibustering to Cow Walking: Legislative Delay in Comparative Perspective." Paper presented at the 2016 Annual Meeting of the Southern Political Science Association, San Juan, Puerto Rico. January 7-9, 2016.

"Transnational Influences on the U.S. Supreme Court: A Look at Recent Evidence." Paper presented at the 2012 Annual Meeting of the Law and Society Association. Honolulu, Hawaii. June 5-8, 2012.

"Agenda Setting in the Supreme Court: An Examination of Certiorari Petitions in Sentencing Guidelines Cases." Paper accepted for presentation at the 2012 meeting of the Southern Political Science Association. New Orleans, Louisiana. January 2012 (with Scott Hendrickson and Corrie Caler).

"In Search of the 'Good' Arguments: What Characterizes the Better-Recalled Arguments during the Presidential Debates," Paper presented at the Eastern Communication Association for its May 2008 annual meeting. Pittsburgh, Pennsylvania. May 1-3, 2008 (with Ted Sheckels and Joan Connors).

"Extended Debate Over Time: Patterns and Trends in Senate Filibusters." Paper presented at the 2007 annual meeting of the Midwest Political Science Association, Chicago, Illinois. April 12-15, 2007 (with L. Marvin Overby).

"Scoring the Senate: Scorecards, Parties and Roll Call Votes in the U.S. Senate." Paper presented at the 2006 annual meeting of the Midwest Political Science Association, April 20-23, 2006 (with Jason M. Roberts).
~ Also presented at the Duke University conference on Political Parties in the U.S. Senate. April 6-8, 2006. Durham, North Carolina.

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"Keeping Score: Parties, Leaders, and Agendas in the U.S. House of Representatives." Paper presented at the 2005 Annual Meeting of the American Political Science Association. September 1-4, 2005 (with Jason M. Roberts).

"Conflicting Interests?: State Legislators and the Supreme Court Justices They Appoint." Paper presented at the 2005 Annual Meeting of the American Political Science Association. September 1-4, 2005 (with Margaret Williams).

"And Take Their Robes Too? Modeling Congressional Court-Stripping Attempts." Paper presented at the 2005 Annual Meeting of the Midwest Political Science Association. April 7-10, 2005, Chicago, Illinois (with Kevin M. Scott).

"Janet Jackson, Howard Stern, and the FCC: Indecency Violation Response As A Case Study in Political Control of the Bureaucracy." Paper presented at the 2005 Annual Meeting of the Midwest Political Science Association. April 7-10, 2005, Chicago, Illinois (with B. Jason Barlow).

"Filibusters and Filibusterers in the Contemporary Senate: An Examination of the Dynamics and Individual-Level Correlates of 'Extended Debate,' 1975-2002." Paper presented at the 2004 annual meeting of the American Political Science Association, Chicago, Illinois. September 2-5, 2004 (with L. Marvin Overby).

"Scheduling Tactics and Strategic Losses: Lessons from the U.S. House of Representatives." Paper presented at the Sixth Workshop of Parliamentary Scholars and Parliamentarians. Wroxton College, Wroxton, Oxfordshire, United Kingdom. July 31-August 1, 2004.

"Organized Interests, American Democracy, and Federal Appointments: Continuity or Change?" Presented at the 2004 annual meeting of the Midwest Political Science Association, April 15-18, 2004, Chicago, Illinois (with Wendy Martinek).

"Keeping Score: Strategic Losses in the United States House of Representatives." Presented at the 2004 annual meeting of the Southwest Political Science Association, March 17-20, 2004, Corpus Christi, Texas.

"Saying it Best by Saying Nothing At All: The Senate's Use of Confirmation Proceedings to Communicate With the President," Eastern Communication Association Annual Meeting, April 24-27, 2003.

"The Impact of Philanthropy on Public Attitudes Toward Welfare Policies." Annual Meeting of the Midwest Political Science Association, April 3-6, 2003 (with Krutika Patel).

"Rational Behavior or the Norm of Cooperation?: Filibustering Behavior Among Retiring Senators." (with L. Marvin Overby). Presented at the American Political Science Association's 2002 Annual Meeting, Boston, Massachusetts. August 29-September 1, 2002.

"Shoemakers and Elves: Members and their Staffs in the Contemporary U.S. Congress," (with Cindy Simon Rosenthal). 2002 annual meeting of the Midwest Political Science Association, Chicago, Illinois. April 25-28, 2002

"The Court's Eyewitness: Televised News Footage and the Myth of the Unbiased Juror," (with Carla Owen). 2002 annual meeting of the Midwest Political Science Association, Chicago, Illinois. April 25-28, 2002.

"Divided Government and Judicial Legacies: The Politics of Supreme Court Appointments," 2000 Annual Meeting of the Southern Political Science Association, November 9-11, 2000 (With Shelley Adolf).

~ Nominated for 2000 "Best Paper" award, APSA Law and Courts Section.

~ Nominated for 2000 Pi Sigma Alpha Award, Southern Political Science Association.

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“Women Congressional Staff: Policy Contributions and Constraints,” 2000 Annual Meeting of the Southern Political Science Association, November 9-11, 2000 (With Cindy Simon Rosenthal).

“Senatorial Discourtesy: The Senate's Use of Delay to Shape the Federal Judiciary.” 2000 Annual Meeting of the Midwest Political Association, April 28-30, 2000.

“Invisible Power: Congressional Staff and Representation Behind the Scenes.” Invited presentation at the Women Transforming Congress conference, April 13-15, 2000 (With Cindy Simon Rosenthal). Also presented at the 2000 Annual Meeting of the American Political Science Association, Washington D.C., August 31 - September 3, 2000.

“The Effects of Socio-Political Characteristics on Hanover County Republican Voters.” The 2000 Annual Meeting of the Virginia Social Sciences Association. March 17, 2000.

“Modeling Mistrust: An Event History Analysis of Term Limits for State Legislators.” Presented at the 1999 Annual Meeting of the Southern Political Science Association, November 6-8, 1999 (With Kevin Scott).

“Toward a Theory of Senate Confirmation: Women, Minorities, and Politics in the Senate’s Judicial Confirmation Decisions.” 1999 Annual Meeting of the Midwest Political Science Association.

“Warring Factions: The Senate, Interest Groups, and the Politics of Appointing Federal Judges.” 1998 Annual Meeting of the Midwest Political Science Association.

“Congress Reviled: Support for Term Limits in the American Electorate.” 1997 Annual Meeting of the American Political Science Association (with Gary Copeland). Washington, DC.

“Lessons From the States: Alternative Drug Sentencing Policies and the Federal Government.” 1997 Annual Meeting of the Southwest Political Science Association (with Sally Coleman Selden). Houston, Texas.

“Examining Congressional Response: Congress’ Reaction to Supreme Court Decisions Overturning Congressional Statutes.” 1996 Annual Meeting of the Southwest Political Science Association (with Lesli McCollum).

“Lacking a Theory of Policy Effects – The 1994 Health Care Debate in Media Context.” 1995 meeting of the Media, Government, and Public Policy Section of the Association for Education in Journalism and Mass Communication.

ADDITIONAL PRESENTATIONS

“The Supreme Court at the Crossroads: Appointment Politics in the Wake of Justice Scalia’s Death.” Invited lecture at Winthrop University, Rock Hill, SC. March 29, 2016.

“Congressional-Executive Relations in the United States.” Presentation to staff members at the National Diet Library. Tokyo, Japan. December 11, 2015.

“The ‘Switch in Time’ and ‘Switch in Nine’: A Tale of Two Men Named Roberts.” Presentation to students and faculty of the Department of Law, Keio University. Tokyo, Japan. December 2, 2015.

“The Calm after the Storm: The Supreme Court’s October 2015 Term.” Presentation to the Jewish Woman’s Club of the Weinstein Jewish Center. Richmond, Virginia. October 27, 2015.

LAUREN C. BELL 9

"Come Together At the Center: Coordinating Academic Support Services." Keynote address at the 2015 Annual Meeting of the National Association of Communication Centers. Fredericksburg, Virginia. April 17, 2015.

"The 2014 Congressional Midterms and the U.S. Supreme Court." Presentation to the Jewish Woman's Club of the Weinstein Jewish Center. Richmond, Virginia. January 27, 2015.

"When Early Is Too Late: Even Earlier Intervention to Support At-Risk Students." Webinar for the Consortium for Student Retention Data Exchange. December 10, 2014. (With Grant Azdell).

"The 2014 Elections (And What They Mean for 2016)." Presentation to the 5400 Men's Club of the Weinstein Jewish Community Center, Richmond, Virginia. December 15, 2014.

"An Insider's Look at the Supreme Court." Presentation to the Crossridge Community. Glen Allen, Virginia. May 5, 2014.

"When Early Is Too Late: Even Earlier Intervention to Support At-Risk Students." Paper Presented at (and published in the *Proceedings* of) the 2013 National Symposium on Student Retention, San Diego, California. November 4-6, 2013. (With Grant Azdell, Tim Merrill, and David Lesesne).

"The U.S. Supreme Court." Presentation to 5400 Men's Club of the Weinstein Jewish Community Center, Richmond, Virginia. October 14, 2013.

"The U.S. Supreme Court: An Insider's Look and Preview of the 2013 Term." The Shepherd's Center of Richmond's Open University. First Presbyterian Church, Richmond, Virginia. October 3, 2013.

Luncheon Speaker, Richmond Chapter, Kiwanis International. April 29, 2013. Virginia Historical Society.

"Filibustering in the U.S. Senate." Presentation to the 5400 Men's Club of the Weinstein Jewish Community Center, Richmond, Virginia. April 8, 2013.

"Filibustering in the U.S. Senate." Presentation to Cross Ridge Community, Glen Allen, Virginia. January 22, 2013.

"Academic Advising at Randolph-Macon College." Presentation/participant as part of the *Evaluating Academic Advising* session at the Council of Independent Colleges' Chief Academic Officers' Meeting, November 3-6, 2012. San Antonio, Texas.

"Supremely Strategic: The Supreme Court's Decision on the Affordable Care Act." Faculty-Staff Luncheon Presentation, Randolph-Macon College. September 5, 2012.

Luncheon Speaker, Richmond Chapter, Kiwanis International. November 30, 2009. Virginia Historical Society.

"The Case for Political Science in an Era of Emotional Politics," *Adams Lecture in Political Science*. The College of Wooster, Wooster, Ohio. April 20, 2009.

"How Jesse 'the Body' Became 'Jesse the Mind': An Interdisciplinary Look at Political Communication." Faculty-Staff Luncheon Presentation, Randolph-Macon College. April 16, 2008. (With Joan Conners and Ted Sheckels.)

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"Beyond the R-MC Magazine: *What My Year in Washington Was Really Like*." Faculty-Staff Luncheon Presentation, Randolph-Macon College. February 20, 2008.

Luncheon Speaker, Richmond Chapter, Kiwanis International. January 22, 2008. Virginia Historical Society.

Author Meets Critics Session (author participant). Annual meeting of the Southern Political Science Association, New Orleans, Louisiana, January 4-7, 2007.

"Pork Barrels, Pressure Groups, and Political Parties: How Members of Congress Decide." Randolph-Macon College Scholarship Weekend Presentation, February 25, 2006.

"Values of an Education." Presentation to incoming freshmen and faculty at Randolph-Macon College's Matriculation Ceremony. August 31, 2003.

"Judicial Selection in an Interest Group Age." Presentation to the faculty of Randolph-Macon College, March 11, 2003.

"The Next Supreme Court Justice: Who, When, Why, How?" Randolph-Macon College Scholarship Weekend presentation, January 18, 2003.

"Taking Responsibility." Presentation to incoming freshmen and faculty at Randolph-Macon College's Matriculation Ceremony. September 1, 2002.

"What They Never Taught You About American Government." Presentation to prospective students and parents, Randolph-Macon College. January 26, 2002.

"Warner and Wal-Mart: What Election 2001 Means for the Town and County." Presentation to the Ashland/Hanover Citizens for Responsible Growth public interest organization, Ashland, Virginia. December 3, 2001.

"Thieves, Scoundrels, and Conspiracy Theorists: Two Hundred Years of Politics as Usual in Washington DC." Presentation to students at the Higgins Academic Center, Randolph-Macon College. November 28, 2001.

"Careful With That Ax, Eugene': Team Teaching and the Challenge of Crossing Disciplines." Presentation to the faculty of Randolph-Macon College (with James Doering). October 2001.

"Why We Still Need Heroes." Presentation to incoming freshmen and faculty at Randolph-Macon College's Matriculation Ceremony. September 2, 2001.

"The 2000 Presidential Election." Invited guest at the Hanover County Rotary Club, Hanover County, Virginia. March 7, 2001.

"From Henry and Clay to Gore and Bush: Political Life in Ashland and Hanover County." Invited Presentation to the Friends of Ashland Library's Annual Meeting, October 5, 2000.

"Exit Polling in Hanover County." Invited guest at the Hanover County Rotary Club, Hanover County, Virginia. May 3, 2000.

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ADDITIONAL PROFESSIONAL ACTIVITIES

Facilitator, Montpelier Summit (Weekend seminar on James Madison and the Constitution for Washington, DC staffers), Center for the Constitution, James Madison's Montpelier, March 11-13, 2016.

Chair and Discussant: "Lawmaking and Problem Solving." 2016 Annual Meeting of the Southern Political Science Association. San Juan, Puerto Rico. January 7-9, 2016.

Chair and Discussant: "Appointments and Nominations in the Federal Judiciary." 2016 Annual Meeting of the Southern Political Science Association. San Juan, Puerto Rico. January 7-9, 2016.

Chair and Discussant: "The Wild Side of American Politics: Undergraduate Research on Conspiracy Theories, Political Scandals and the Tea Party." 2015 Annual Meeting of the Southern Political Science Association, New Orleans, Louisiana. January 15-17, 2015.

Invited panelist, "Author Meets Critics: John Kyle Day's Southern Manifesto." 2015 Annual Meeting of the Southern Political Science Association, New Orleans, Louisiana. January 15-17, 2015

Participant, *Randolph-Macon College Faculty Trip to Japan*. Sponsored by The Center for Global Partnership, The Japan Foundation. Tokyo and Kyoto, Japan. July 16-30, 2012.

Chair and Discussant. Panel entitled "Supreme Courts in the Larger Political System." 2012 Annual meeting of the Law and Society Association. Honolulu, Hawaii. June 5-8, 2012.

Invited Participant, Roundtable entitled "Prominent Fellowships in Political Science." 2012 Annual meeting of the Southern Political Science Association. New Orleans, Louisiana. January 12-15, 2012.

Co-Principal Investigator, "Evaluation of the American Constitution Society for Law and Policy (ACS)." May 2011-November 2011. Completed on behalf of the Open Society Foundations (OSF) by the Washington Institute for Public and International Affairs Research (WIPAR). (With Jon Gould, Holly Stevens, Holly Bennett, Chris Bodde, and Katherine Hughes.)

Discussant, Panel entitled "Advanced Pedagogies." 2011 Annual meeting of the Southern Political Science Association. New Orleans, Louisiana. January 6-9, 2011.

Invited Participant, Roundtable entitled "How Does Working in Politics Affect Teaching?" 2011 Annual meeting of the Southern Political Science Association. New Orleans, Louisiana. January 6-9, 2011.

Editorial Board Member. (2007-2010) *Justice System Journal*. Williamsburg, Virginia: The National Center for State Courts. Appointed May 2006.

Invited Participant, Roundtable on President Barack Obama's Judicial Appointments. Roundtable participant—invited by Dean Elliot Slotnick (Ohio State) and Dr. Sheldon Goldman (University of Massachusetts). Annual meeting of the Midwest Political Science Association. Chicago, Illinois. April 22-25, 2010.

Chair, 2010 Congressional Quarterly Best Paper Award Committee. Award given to the best paper presented at the previous year's American Political Science Association annual meeting. Appointed September 2009.

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Keynote Speaker, Adams Lecturer in Political Science. The College of Wooster, Wooster, Ohio. April 19-21, 2009.

Invited Panelist. 2008-09 New Fellows' Orientation Program. American Political Science Association Congressional Fellowship Program, Washington, DC. November 13, 2008.

Chair. Panel entitled "Courts and Congress." 2008 Annual Meeting of the American Political Science Association. Boston, Massachusetts. August 28-31, 2008.

Chair and Discussant. Panel entitled "Conflict and Collaboration: Who Makes the Law?" 2008 Annual Meeting of the Midwest Political Science Association. Chicago, Illinois. April 3-6, 2008.

Discussant. Panel entitled "The U.S. Senate." 2008 Annual Meeting of the Midwest Political Science Association. Chicago, Illinois. April 3-6, 2008.

Keynote Speaker, Annual Student Recognition Banquet, The College of Wooster, Wooster, Ohio. February 23, 2007.

Keynote Speaker, Delphi International/U.S. Department of State Program for Visiting Spanish Family Court Judges. Washington, DC. January 29, 2007.

Keynote Speaker, Richmond Chapter of Phi Beta Kappa 2005 Douglas W. Foard Phi Beta Kappa Sophomore Awards. "The Switch in Time and The Switch in Nine: The Story of Two Men Named Roberts." Randolph-Macon College. Ashland, Virginia. November 3, 2005.

Invited Panelist. Academic Panel. 2005 College Colloquium, The Center for Talented Youth. The College of William and Mary, Williamsburg, Virginia. October 16, 2005.

Keynote Speaker, Ohio State Bar Association Media Law Committee Seminar: "Judicial Selection in an Interest Group Age." Kent State University. Kent, Ohio. April 15, 2005.

Chair and Discussant. Panel entitled "The Courts and Institutional Conflict." 2005 Annual Meeting of the Midwest Political Science Association. Chicago, Illinois. April 7-10, 2005.

Invited Guest, Capital Connections Television. RICH-TV, Richmond, Virginia. November 4, 2004.

Invited Panelist. Academic Panel. 2004 College Colloquium, The Center for Talented Youth. The College of William and Mary, Williamsburg, Virginia. October 24, 2004.

Panel Chair. Panel entitled "Sub-National Parliaments." Sixth Workshop of Parliamentary Scholars and Parliamentarians. Wroxton College, Wroxton, Oxfordshire, United Kingdom. July 31-August 1, 2004.

Section Chair, Gender and Politics. 2004 Annual Meeting of the Southwest Political Science Association. Corpus Christi, Texas, March 17-20, 2004.

Discussant. Panel entitled "Legislative Representation: Constituencies, Positioning, and Policy." 2004 Annual Meeting of the Southwest Political Science Association. Corpus Christi, Texas. March 17-20, 2004.

Chair and Discussant. Panel entitled "Women in American Politics." 2004 Annual Meeting of the Southwest Political Science Association. Corpus Christi, Texas. March 17-20, 2004.

Discussant, Panel entitled "Judicial Selection, Independence, and the Quality of Jurists." 2003 Annual Meeting of the Midwest Political Science Association Annual Meeting, Chicago, Illinois. April 3-6, 2003.

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Chair, Panel entitled “Role of the Media in International Politics.” 2002 Annual Meeting of the International Studies Association (South). Richmond, Virginia. October 17-19, 2002.

Moderator, 2002 Ashland Town Council Election Forum. Forum of five candidates held April 29, 2002 in the chambers of the Ashland Town Council, Ashland, Virginia.

Co-moderator (with Jay Pace), “Ethics in the Media” panel discussion, March 13, 2002. Jointly sponsored by Randolph-Macon College and the Public Relations Society of America (Richmond Chapter).

Chair and Organizer, Roundtable entitled “Opportunities and Challenges in Undergraduate Research.” 2001 Annual Meeting of the Southern Political Science Association. Atlanta, Georgia, November 8-11, 2001.

Member, Selection Panel for 2001-2002 and 2000-2001 American Political Science Association Congressional Fellowship Program, Washington, DC.

Coordinator, *Exit Poll for Hanover County, Virginia* (with the *Hanover Herald-Progress*).

- ~ Republican primary election, February 29, 2000
- ~ General Presidential Election, November 2000
- ~ Virginia Gubernatorial Election, November 2001
- ~ Virginia local election, November 2003
- ~ General Presidential Election, November 2004
- ~ Congressional Midterm Election, November 2014 (with Elliott Fullmer)

Summer Undergraduate Research Fellowship Faculty Advisor. Randolph-Macon College. Summers 2000-2005, 2008, 2011, 2014, 2015.

Manuscript Reviewer: (As requested, 2000-present.) *American Political Science Review*, *PS: Political Science and Politics*, *Social Science Quarterly*, *American Politics Research*, University of Chicago Press, Routledge Publishers, *Journal of Politics*, Congressional Quarterly Press, Longman Publishers, Cambridge University Press, *Law and Society Review*, *American Journal of Political Science*, *Justice System Journal*, *Judicature*, *Political Studies Quarterly*, *Legislative Studies Quarterly*.

Summer Fellow. 104th Congress. United States Senate Labor Committee (minority staff). May-August 1995.

SERVICE AND LEADERSHIP ACTIVITIES

FACULTY SERVICE ACTIVITIES

President's Appointee, Randolph-Macon College Strategic Planning Committee. Randolph-Macon College, Ashland, Virginia. April 2008-present.

Academic Advisor. Randolph-Macon College. 2000-06, 2008-present.

Publications Board. Randolph-Macon College. 2000-06.

Advisor to the Yellow Jacket, the student newspaper of Randolph-Macon College. 2000-06.

Advisor to Pi Sigma Alpha. Randolph-Macon College, 2000-06.

Advisor to the Young Democrats, Randolph-Macon College Chapter, 1999-2006.

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Faculty Representative (Board of Trustees' Appointee). Randolph-Macon College Presidential Search Committee. Randolph-Macon College, Ashland, Virginia. Appointed April 2005.

First Year Experience Program Advisory Board Member. Randolph-Macon College. 2004-05.

Chair, Randolph-Macon College Publications Board. 2003-06.

Faculty Representative, Randolph-Macon College Strategic Planning Committee. Randolph-Macon College, Ashland, Virginia. Elected by the College faculty in May 2002 to serve during the 2002-03 academic year.

Faculty Representative, Dean of Students Search Committee, Randolph-Macon College, Ashland, Virginia. Appointed by the College president to serve January-March 2002.

Committee on Faculty Development. Randolph-Macon College. Elected by the College Faculty, 2001-2004.

IMPACT Facilitator. Randolph-Macon College Greek Community Retreat, Graves Mountain Lodge, Virginia. November 15-18, 2001.

Ad Hoc Committee on Internships. Randolph-Macon College. 2001-03

Academic Integrity Council. Randolph-Macon College. May 2000-04. *Vice-Chair,* 2001-04.

COMMUNITY SERVICE ACTIVITIES

Judge, "We the People" Statewide Finals. Sponsored by the Center for the Constitution at James Madison's Montpelier, January 29-30, 2016, Williamsburg, Virginia.

Board of Directors, Mountain Road Townes Homeowners Association. Glen Allen, Virginia. November 2008-present. President, November 2008-November 2009 and November 2010-November 2014.

Volunteer, 2008 Maggie Walker Governor's School. Assist students with preparing for national finals of "We the People." April 2008, Richmond, Virginia.

Volunteer, 2007 Maggie Walker Governor's School. Assist students with preparing for national finals of "We the People." April 2007, Richmond, Virginia.

Judge, Virginia Foundation for Independent Colleges 2007 Ethics Bowl. February 11-12, 2007. Randolph-Macon College.

Judge, Virginia Foundation for Independent Colleges 2006 Ethics Bowl. February 12-13, 2006, Lynchburg College.

Judge, "We the People" Statewide Finals. Sponsored by the Center for the Constitution at James Madison's Montpelier, February 11-12, 2006, Charlottesville, Virginia.

Program Participant, 2005 Annual Meeting of the Virginia Conservation Network. September 23-24, 2005. Ashland, Virginia.

Participant, GEAR-UP Program (federally-funded program to encourage high-achieving, underprivileged students to attend college). Randolph-Macon College, Ashland, Virginia, July 2005.

LAUREN C. BELL 15

Judge, Virginia Foundation for Independent Colleges 2005 Ethics Bowl. February 2005, Virginia Wesleyan University.

Participant, Mechumps Creek Stream Clean Up, December 2003. Ashland, Virginia.

Judge, Virginia Foundation for Independent Colleges 2003 Ethics Bowl. February 2003, Marymount University.

Judge, Virginia Foundation for Independent Colleges 2002 Ethics Bowl. February 2002, Randolph-Macon College.

FELLOWSHIPS AND SCHOLARSHIPS

United States Supreme Court Fellowship, 2006-2007.

Higgins Academic Center Teaching Fellow, Randolph-Macon College, 2002-2006.

Wye Faculty Fellow, 2002 Aspen Institute Wye Faculty Seminar Program. July 20-26, 2002, Queenstown, Maryland.

American Political Science Association Congressional Fellowship, 1997-98.

Carl Albert Congressional Research and Studies Center Graduate Fellowship, 1994-1999.

The John Halvor Leek Memorial Scholarship, The University of Oklahoma, 1997.

The Tom Nicewander Leadership Award, The College of Wooster, 1994.

The Paul Evans Lamale Scholarship for Excellence in the Social Sciences, The College of Wooster, 1994.

HONOR SOCIETIES

Omicron Delta Kappa (National Leadership Honor Society), inducted 2003.

Pi Sigma Alpha (National Political Science Honorary), inducted 1996.

Sigma Delta Pi (National Spanish Honorary), inducted 1993.

PROFESSIONAL MEMBERSHIPS

The Southern Political Science Association

Pi Sigma Alpha

The Center for Academic Integrity

The National Academic Advising Association

American Conference of Academic Deans

LAUREN C. BELL 16

REFERENCES

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Table of Federal Capital Trials by District

Exhibit D

EXHIBIT D

	A	B	C	D	E	F	G	H	I	J	K	L
1	DISTRICT	Pool	Authorized	Started Trial	Death	Life	Acquittal	Lesser Included	Auth WD at Trial	GP at Trial	Died at Trial	Pending trial
2	Alabama - Middle	1	0	0	0	0	0	0	0	0	0	0
3	Alabama - Northern	6	5	3	1	1	0	0	0	1	0	0
4	Alabama - Southern	12	1	1	0	1	0	0	0	0	0	0
5	Alaska	15	3	0	0	0	0	0	0	0	0	1
6	Arizona	81	6	1	1	0	0	0	0	0	0	0
7	Arkansas - Eastern	17	4	4	1	2	0	0	0	1	0	0
8	Arkansas - Western	6	3	2	1	1	0	0	0	0	0	0
9	California - Central	170	29	16	2	6	2	0	3	3	0	1
10	California - Eastern	39	7	1	0	0	0	0	0	1	0	0
11	California - Northern	103	10	3	0	2	0	0	0	1	0	2
12	California - Southern	34	0	0	0	0	0	0	0	0	0	0
13	Colorado	30	8	4	1	3	0	0	0	0	0	0
14	Connecticut	58	5	4	1	2	1	0	0	0	0	0
15	District of Columbia	108	17	4	0	4	0	0	0	0	0	0
16	Delaware	5	0	0	0	0	0	0	0	0	0	0
17	Florida - Middle	51	5	2	0	2	0	0	0	0	0	1
18	Florida - Northern	3	2	0	0	0	0	0	0	0	0	0
19	Florida - Southern	107	9	8	2	3	3	0	0	0	0	0
20	Georgia - Middle	6	3	1	0	1	0	0	0	0	0	0
21	Georgia - Northern	63	4	3	2	1	0	0	0	0	0	0
22	Georgia - Southern	12	2	2	1	1	0	0	0	0	0	0
23	Hawaii	16	2	1	0	1	0	0	0	0	0	0
24	Idaho	2	1	1	1	0	0	0	0	0	0	0
25	Illinois - Central	4	1	1	0	1	0	0	0	0	0	0
26	Illinois - Northern	70	6	5	2	3	0	0	0	0	0	0
27	Illinois - Southern	12	7	0	0	0	0	0	0	0	0	0
28	Indiana - Northern	39	5	4	1	2	0	0	1	0	0	0
29	Indiana - Southern	22	3	0	0	0	0	0	0	0	0	0
30	Iowa - Northern	13	2	2	2	0	0	0	0	0	0	0
31	Iowa - Southern	3	2	0	0	0	0	0	0	0	0	0

EXHIBIT D

	A	B	C	D	E	F	G	H	I	J	K	L
32	Kansas	38	7	4	1	2	0	0	1	0	0	0
33	Kentucky - Eastern	17	1	0	0	0	0	0	0	0	0	0
34	Kentucky - Western	24	4	2	0	2	0	0	0	0	0	0
35	Louisiana - Eastern	93	13	5	3	1	0	0	0	1	0	3
36	Louisiana - Western	14	1	1	1	0	0	0	0	0	0	0
37	Maine	1	0	0	0	0	0	0	0	0	0	0
38	Maryland	198	26	13	2	9	0	1	0	1	0	0
39	Massachussetts	40	5	3	2	1	0	0	0	0	0	0
40	Michigan - Eastern	119	19	3	0	2	0	0	0	1	0	3
41	Michigan - Western	25	3	3	1	2	0	0	0	0	0	0
42	Minnesota	12	0	0	0	0	0	0	0	0	0	0
43	Mississippi - Northern	2	1	0	0	0	0	0	0	0	0	0
44	Mississippi - Southern	29	2	2	0	2	0	0	0	0	0	0
45	Missouri - Eastern	60	7	5	3	2	0	0	0	0	0	1
46	Missouri - Western	63	23	18	7	10	0	0	1	0	0	2
47	Montana	4	0	0	0	0	0	0	0	0	0	0
48	Nebraska	7	0	0	0	0	0	0	0	0	0	0
49	Nevada	37	0	0	0	0	0	0	0	0	0	0
50	New Hampshire	1	0	0	0	0	0	0	0	0	0	0
51	New Jersey	57	4	2	0	1	0	0	0	0	1	0
52	New Mexico	94	10	4	0	2	0	0	0	2	0	0
53	New York - Eastern	340	22	12	1	11	0	0	0	0	0	0
54	New York - Northern	19	6	5	0	4	0	0	1	0	0	1
55	New York - Southern	537	18	9	0	7	1	0	0	1	0	2
56	New York - Western	51	2	0	0	0	0	0	0	0	0	0
57	North Carolina - Eastern	29	4	0	0	0	0	0	0	0	0	0
58	North Carolina - Middle	9	1	0	0	0	0	0	0	0	0	0
59	North Carolina - Western	43	5	5	3	1	0	0	1	0	0	0
60	North Dakota	11	2	1	1	0	0	0	0	0	0	0
61	Ohio - Northern	11	3	2	0	2	0	0	0	0	0	0
62	Ohio - Southern	63	4	3	1	2	0	0	0	0	0	0
63	Oklahoma - Eastern	10	5	5	3	2	0	0	0	0	0	0
64	Oklahoma - Northern	13	0	0	0	0	0	0	0	0	0	0

EXHIBIT D

	A	B	C	D	E	F	G	H	I	J	K	L
65	Oklahoma - Western	8	1	1	0	0	0	0	0	1	0	0
66	Oregon	13	0	0	0	0	0	0	0	0	0	0
67	Pennsylvania - Eastern	43	11	10	1	4	1	0	1	3	0	0
68	Pennsylvania - Middle	34	8	4	1	2	0	0	1	0	0	0
69	Pennsylvania - Western	11	5	2	0	2	0	0	0	0	0	1
70	Puerto Rico	292	25	9	0	7	2	0	0	0	0	2
71	Rhode Island	11	1	0	0	0	0	0	0	0	0	0
72	South Carolina	36	5	5	4	1	0	0	0	0	0	0
73	Tennessee - Eastern	5	1	1	1	0	0	0	0	0	0	0
74	Tennessee - Middle	51	7	2	0	1	0	0	0	1	0	1
75	Tennessee - Western	34	10	3	0	1	0	0	0	2	0	0
76	Texas - Eastern	43	16	12	7	5	0	0	0	0	0	1
77	Texas - Northern	34	9	5	4	1	0	0	0	0	0	0
78	Texas - Southern	95	8	3	2	1	0	0	0	0	0	4
79	Texas - Western	105	3	3	3	0	0	0	0	0	0	0
80	Utah	14	0	0	0	0	0	0	0	0	0	0
81	Vermont	9	3	1	1	0	0	0	0	0	0	0
82	Virgin Islands	18	0	0	0	0	0	0	0	0	0	0
83	Virginia - Eastern	228	43	35	7	23	4	0	0	1	0	0
84	Virginia - Western	67	14	10	1	5	2	0	2	0	0	0
85	Washington - Eastern	5	0	0	0	0	0	0	0	0	0	0
86	Washington - Western	7	0	0	0	0	0	0	0	0	0	0
87	West Virginia - Northern	21	7	1	0	0	0	0	0	1	0	2
88	West Virginia - Southern	5	3	2	2	0	0	0	0	0	0	0
89	Wisconsin - Eastern	10	0	0	0	0	0	0	0	0	0	0
90	Wyoming	1	0	0	0	0	0	0	0	0	0	0
91												
92	Through RC ID # 5568	4379	530	289	82	155	16	1	12	22	1	28